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January 7, 2022

Via ECF

Hon. William F. Kuntz, II
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Dear Judge Kuntz:

We represent Plaintiff Yekaterina Skidanenko (“Plaintiff”) in the above-captioned matter against Defendant Equinox Holdings, Inc. (“Defendant”). We write together with Defendant to request that the Court “so order” the just-filed Stipulation of Dismissal Without Prejudice, and provide the Court with a brief explanation for same. *See* Dkt. No. 53. As the Court is aware, Plaintiff alleges that Defendant failed to compensate its Tier 1 and Tier 2 Personal Trainers in accordance with federal and state wage and hour laws. As the Court may also be aware, a similar wage and hour action on behalf of Tier 3, Tier 3+, and Tier X Personal Trainers¹ is pending against Defendant in the Southern District of New York (“SDNY”) styled *Katz v. Equinox Holdings, Inc.*, 1:20-CV-09856 (the “Katz Action”).

After lengthy discussions, Plaintiff has consented to consolidate her individual and putative representative claims in this action with *Katz*, via an amended complaint (to be lodged) on or before January 7, 2022). The parties believe this is a more efficient process than inundating the Court with unnecessary motion practice seeking to transfer or consolidate the cases and manage multiple cases with several possible overlapping areas of fact and law.

We thank the Court for its time and consideration.

Respectfully,

/s Jacob Aronauer
Jacob Aronauer
Attorney for Plaintiff

¹ Tier 3, Tier 3+, Tier X Trainers are higher level employees than Tier 1 and Tier 2.